UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,058	12/12/2000	Janet A. Barnett	13361	4588

7590	01/13/2005

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EXAMINER
VIG, NARESH

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Advisory Action	Application No.	Applicant(s)
	09/735,058	BARNETT ET AL.
	Examiner	Art Unit
	Naresh Vig	3629

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid abandonment of this application.. A proper reply to a
final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in
condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued
Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP
706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension
fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension
fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or
(2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if
timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☒ The proposed amendment(s) will not be entered because:

    (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the
        issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____.
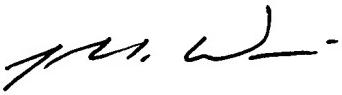
3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment
canceling the non-allowable claim(s).

5. ☐ The a)☐ affidavit, b)☐ exhibit, or c)☐ request for reconsideration has been considered but does NOT place the
application in condition for allowance because: _____.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly
raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an
explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.
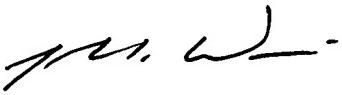
    Claim(s) objected to: _____.
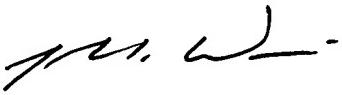
    Claim(s) rejected: *1-22*.
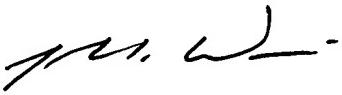
    Claim(s) withdrawn from consideration: _____.
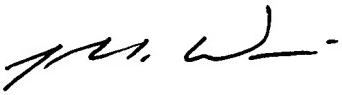
JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Amendmended claims will not be entered because they raise new issues.

In claim 1, applicant has addeded additional limitations of lookup server, dynamic notification to the user before command requesting the information is received.

In claim 8, applicant has added additional limitation of dynamic notification means.

In claim 12, applicant has added additional limitation of Lookup Server, dynamic appear means for notification to the client browser before a command requesting information is received.

In claim 22, applicant has added additional informatin of dynamic appear means for notification to the client browser before a command requesting information is received.

Response to arguments:

In response to applicant's argument that cited references does not teach or suggest features of claim 1, "Independent claim 1 requires inter alia, a web server that provides information to a browser of the user with information and a Lookup Server configured to dynamically notify the user of the availability of an eCommerce service, wherein dynamically notify means that the availability of the service is notified to the user before a command requesting information is received from the user. The cited references do not disclose or suggest these features". Applicant is arguing the limitations not claimed in independent claim 1.

In response to applicant's argument that PineappleSoft does not disclose or suggest communication in the internet environment. However, protocol used to implement a system is a design choice. A business may elect to use SNA, DecNet, Netware, NetBios etc. as an alternate network to implement their system connectivity.

In response to applicant's argument that as claimed in independent claim 1, because PineapppleSoft does not disclose or suggest a browser in communication with a web server providing information to the browser, and with a Lookup Server such that the Lookup Server dynamically notifies the availability of the service to the browser. In fact, Pineapplesoft belongs to the prior art recognized by the Applicant's disclosure because Pineapplesoft does not disclose or suggest the problem of internet based dynamic notification for services available, let alone disclose or suggest the solutions provided by Applicant's claimed invention as discussed above. Response to protocol used for communication has been responded to earlier, and, applicant is arguing the limitations not claimed in independent claim 1.

In response to applicant's argument that independent claims 8 and 12 require that the information from a Lookup Server dynamically appears in the client applet based on data provided by the web server via the client applet, wherein dynamically appear means that the availability of the service is notified to the client browser before command requesting information is received from the client browser. Applicant is arguing the limitation not claimed in independent claims 8 and 12.

In response to applicant's argument that Independent claim 22 requires that information provided a Lookup Server pertaining to the new service dynamically appears in the client applet based on data provided by the web server via the client applet, wherein dynamically appears means that the availability of the service is notified to the client browser before a command requesting information is received from the client browser, and, references cited do not disclose or suggest these features. Applicant is arguing limitation not claimed in independent claim 22.